

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HARRY BLOSSOM,

Plaintiff,

Civil Action No. 08 CV 3706  
(KMK)

-against-

OM FINANCIAL LIFE INSURANCE  
COMPANY OF NEW YORK and OM  
FINANCIAL LIFE INSURANCE COMPANY,

PLAINTIFF'S ANSWER TO  
COUNTERCLAIM

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Plaintiff, as and for his Answer to the Counterclaim of Defendant, alleges as follows:

1. Plaintiff admits paragraphs 2,4,5, 6, and 12 of the Counterclaim.
2. Plaintiff denies knowledge or information as to paragraphs 1,3,7,8,9, 10, 11, 13, 14, 18, 20 and 22 of the Counterclaim.
3. Plaintiff denies paragraphs 15, 16, 17, 19, 21 and 23 of the Counterclaim.

WHEREFORE Plaintiff demands judgment dismissing the Counterclaim.

Yours, etc.,

Dated: New York, NY  
July 23, 2008

  
Lawrence Goldhirsch (LG-2117)  
WEITZ & LUXENBERG, P.C.  
Attorneys for Plaintiff  
180 Maiden Lane  
New York, NY 10038  
(212) 558-5500

TO: Norman L. Tolle, Esq.  
RIVKIN RADLER LLP  
Attorneys for Defendant  
926 RexCorp Plaza  
Uniondale, NY 11556-0926

## AFFIDAVIT OF SERVICE

STATE OF NEW YORK )  
:SS  
COUNTY OF NEW YORK)

**DONNA VALORE**, being duly sworn, deposes and says:

That deponent is not a party to the action, is over 18 years of age and resides at Staten Island, New York.

That on the 23rd day of July, 2008, your deponent served the within PLAINTIFF'S ANSWER TO COUNTERCLAIM upon the following:

Norman L. Tolle, Esq.  
RIVKIN RADLER LLP  
Attorneys for Defendant  
926 RexCorp Plaza  
Uniondale, NY 11556-0926

at the address designated by said attorneys for that purpose, by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States Postal Service within New York State. 2

Donna Valore  
DONNA VALORE

Sworn to before me this

23rd day of July, 2008

## Notary Public

JEANNE H. FAIR  
Commissioner of Deeds  
City of New York - No. 5-1127  
Certificate Filed in Richmond County  
Commission Expires Oct. 1, 2008